

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

KEDRIC D. JACKSON, an individual, and  
JUDY HESTER, an individual,

No. 2:21-cv-00455 RSL

Plaintiffs,

v.

CITY OF SEATTLE and  
SEATTLE POLICE DEPARTMENT,  
JOSEPH WOHLWEND, SGT. NATHAN  
PATTERSON,  
and CHIEF CARMEN BEST, et al.,

COMPLAINT FOR DAMAGES AND JURY

DEMAND

Defendants.

I. NATURE OF ACTION

1.1 Introduction. This is a civil rights action brought by Plaintiff(s) Kedric Jackson, and Judy Hester, pursuant to 42 U.S.C. Sec. 1983 and the Fourth and Fourteenth Amendments against the City of Seattle, the Seattle Police Department, Seattle Police Officer Joseph Wohlwend, Nathan Patterson, and Seattle Police Chief Carmen Best. This case arises, from claims of racial profiling, discrimination, unlawful arrest, negligence, property loss, tort of outrage, and violation of RCW 49.60.

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2                   **II. PARTIES**  
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- 4       2.1   Plaintiff(s) Kedric Jackson, African American Male, Judy Hester, Caucasian  
5       White Female. Kedric is a resident of King County, Washington. Judy is a  
6       resident of Pierce County, Washington.  
7       2.2   Defendant(s) Officer. At all times relevant, Joseph Wohlwend, Caucasian Male,  
8       was employed as law enforcement by the Seattle Police Department and was  
9       acting within the course and scope of his employment with the City of Seattle and  
10      under color of law.  
11      2.3   Defendant(s) Officer. At all times relevant, Nathan Patterson, Caucasian Male,  
12      was employed as law enforcement by the Seattle Police Department and was  
13      acting within the course and scope of his employment with the City of Seattle and  
14      under color of law.  
15      2.4   Defendant City of Seattle. Defendant City of Seattle (City) is a municipality with  
16      the State of Washington and employed the Seattle Police Officers on September  
17      3<sup>rd</sup>, 2019, incident involving Kedric D. Jackson and Judy Hester.  
18      2.5   John and Jane Doe Officers. There are several unknown Seattle Police Officers  
19      that participated in the events that formed the basis for this lawsuit. These  
20      officers were acting within the course and scope of their employment with the  
21      City of Seattle and were acting under color of law.  
22      2.6   Defendant Chief Carmen Best. Defendant Chief Carmen Best was the current  
23      Seattle Police Chief. Chief Best was at all time relevant to this case responsible  
24      for the training and supervision of Seattle Police Officers.

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26                   **III. JURISDICTION AND VENUE**  
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- 28       3.1   Jurisdiction. Jurisdiction in this Court is based in Seattle being a City in the State  
of Washington and the fact that all defendants reside in the State of Washington.

- 3.2 Venue. Venue for this action is appropriate in the Court because the events  
giving rise to the claims asserted herein occurred in King County.  
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3.3 Plaintiffs filed Tort Claims on or about December 12<sup>th</sup>, 2020 in compliance with  
2 RCW 4.92.100. No action has been taken on the claims in over sixty days.  
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#### IV. FACTS

- 6 4.1 Mr. Jackson was driving on the 1400 Block of East Union on September 3, 2019,  
7 with friend, Judy Hester, in a 2005 Thunderbird convertible with the top down.  
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20 4.2 While Mr. Jackson and Ms. Hester were at a stop light, they noticed a Seattle  
21 Police car pulled behind them and appeared to be running their license plate.  
22 4.3 Mr. Jackson and Ms. Hester, continued to drive on East Union to East Madison,  
23 where Mr. Jackson made a left turn onto East Madison.  
24 4.4 Officer Joseph Wohlwend made a left turn onto East Madison and aggressively  
25 followed Mr. Jackson for several more blocks.  
26 4.5 Officer Joseph Wohlwend ultimately had Mr. Jackson pulled over by other Police  
27 cars because he had an arrestee in the car.  
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- 4.6 Mr. Jackson and Ms. Hester were pulled over by Seattle Police at East Union  
and Broadway.
- 1 4.7 Mr. Jackson was told he had been observed for driving under the influence of  
2 alcohol.
- 3 4.8 Mr. Jackson told the Seattle Police Officers he does not drink alcohol or use  
drugs.
- 4 4.9 Seattle Police Officers asked Mr. Jackson for his driver license, not vehicle  
5 insurance.
- 6 4.10 Mr. Jackson handed the Seattle Police Officer his driver's license along with his  
7 Coach wallet. The Coach wallet was lost by Seattle Police Officers.
- 8 4.11 Mr. Jackson was asked to get out of the car and take a Field Sobriety Test.
- 9 4.12 While Mr. Jackson was performing the Field Sobriety Test, Ms. Hester was being  
questioned by Seattle Police Officers.
- 10 4.13 Seattle Police Officer asked Ms. Hester if Mr. Jackson had been drinking.
- 11 4.14 Ms. Hester responded by saying to the Seattle Police Officer, do you think I  
12 would be letting him drive my car if he had been drinking?
- 13 4.15 Ms. Hester was never asked for identification, registration, or insurance  
14 verification card.
- 15 4.16 Ms. Hester told the Seattle Police Officer the only reason they pulled Mr. Jackson  
16 over was because he is an African American, driving a Thunderbird Convertible  
17 with a Caucasian White Woman.
- 18 4.17 Ms. Hester told the Seattle Police Officer that Mr. Jackson was being targeted  
19 because he is a black man.
- 20 4.18 Mr. Jackson performed the Field Sobriety Test as requested by Seattle Police  
Officers.
- 21 4.19 Seattle Police Officers told Mr. Jackson that he failed the Field Sobriety Test.
- 22 4.20 Mr. Jackson was then handcuffed and arrested.
- 23 4.21 Mr. Jackson asked why he had not received a Breathalyzer Test?
- 24 4.22 Seattle Police Officers told Mr. Jackson they did not have a Breathalyzer Kit with  
them.
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- 4.23 Mr. Jackson insisted they give him a Breathalyzer Test before taking him to the King County Jail.
- 4.24 Seattle Police Officers stated they would have an Officer get a Breathalyzer Test.
- 4.25 Seattle Police Officer arrived with a Breathalyzer Test and had Mr. Jackson blow in the Breathalyzer.
- 4.26 Mr. Jackson blew into the Breathalyzer and blew a 0.00.
- 4.27 After blowing into the Breathalyzer, Mr. Jackson was threatened to take a blood test for drugs.
- 4.28 Mr. Jackson responded he would be happy to have the blood test done.
- 4.29 At that time, the Sergeant instructed the Police Officer to uncuff him and release him.
- 4.30 Mr. Jackson was handcuffed with excessive force, arrested and detained for an excessively long period of time.
- 4.31 Ms. Hester was detained for an excessively long period of time.
- 4.32 Mr. Jackson was not cited with a ticket nor was he charged for any law violation.
- 4.33 Mr. Jackson and Ms. Hester experienced severe stress and emotional harm as a direct result of this incident.

## V. CAUSES OF ACTION

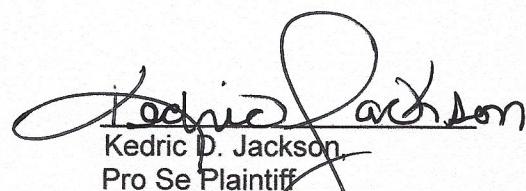
- 5.1 First Cause of Action. By virtue of the facts set forth above, defendants City of Seattle, SGT. Nathan Patterson, and Seattle Police Officer Joseph Wohlwend, and other unknown Seattle Police Officers are liable to the plaintiffs for the tort of assault.
- 5.2 Second Cause of Action. By virtue of the facts set forth above, defendants City of Seattle, SGT. Nathan Patterson, Officer Joseph Wohlwend and several unknown officers are liable to the plaintiffs for intentional infliction of emotional distress.
- 5.3 Third Cause of Action. By virtue of the facts set forth above, defendants City of Seattle, SGT. Nathan Patterson, Officer Joseph Wohlwend and several unknown officers are liable to the plaintiffs for intentional infliction of emotional distress.

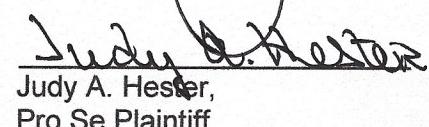
- 1           5.4    Fourth Cause of Action. By virtue of the facts set forth above, the defendants  
2           City of Seattle is liable to the plaintiffs for violation of the plaintiff's civil rights to  
3           the extent that the failure to train, supervise and discipline Police Officers is a  
4           policy, practice or custom of 42 USC Sec. 1983.  
5           5.5    Fifth Cause of Action. By virtue of the facts set above, defendants City of Seattle  
6           and the Officer defendant(s) are liable for the loss of Kedric's Coach wallet.  
7           5.6    Sixth Cause of Action. By virtue of the facts set above, City of Seattle and the  
8           Officer defendant(s) are liable for false imprisonment.  
9           5.7    Seventh Cause of Action. By virtue of the facts set above, defendants City of  
10          Seattle and the Officer defendant(s) are liable for false arrest.  
11          5.8    Eighth Cause of Action. Per R. C. W. 49.60.30 The Defendants are liable to  
12          the Plaintiffs for violation of the plaintiffs' civil rights to the right to be free from  
13          discrimination because of race, creed, color, national origin, sex, honorably,  
14          discharge veteran or military status, sexual orientation, or the presence of any  
15          sensory, mental, or physical disability or the use of a trained dog guide or service  
16          animal by a person with a disability is recognized as and declared to be a civil  
17          rights  
18          5.9    Ninth Cause of Action. Race Based Animus Claim: By virtue of the facts set  
19          above, defendants are liable for race based animus claim for the racial profiling  
20          of Kedric Jackson and Judy Hester.  
21          5.10   Tenth Cause of Action. 42 U.S.C. §1983: By virtue of the facts set forth above,  
22          all defendants are liable for compensatory and punitive damages for deprivation  
23          of civil rights of plaintiffs Kedric D. Jackson and Judy Hester, guaranteed by the  
24          Fourteenth Amendments of the constitution of the United States and 42 U.S.C.  
25          §1983, to be free from their liberty interest without due process of law.  
26          5.11   Eleventh Cause of Action. Equal Protection Claim: By virtue of the facts set  
27          forth above, all defendants are liable for the deprivation of equal protection of  
28          plaintiffs Kedric D. Jackson and Judy Hester, guaranteed by the fourteenth  
            Amendments of the constitution of the United States.

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4 WHEREFORE, Plaintiffs pray for the following relief:

- 5     1. Compensatory Damages and punitive damages in an amount to be proven at  
6 trial. Plaintiffs seeks punitive damages against all defendants;  
7     2. For reasonable PRO SE's fees and costs; and  
8     3. For such other and further relief as the Court deems just and equitable.
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17 Dated this 4th day of April 2021,

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22 Kedric D. Jackson  
23 Pro Se Plaintiff  
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Judy A. Hester,  
Pro Se Plaintiff